

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

B/91

In re Patent Application of

Atty Dkt. 1579-599  
C# M#

HAYNES et al

TC/A.U. 1648

Serial No. 09/960,717

Examiner: Stucker, J.

Filed: September 24, 2001

Date: April 13, 2005

Title: IMMUNOGEN



Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 Correspondence Address Indication Form Attached.**Fees are attached as calculated below:**

Total effective claims after amendment	0	minus highest number	
previously paid for	20	(at least 20) =	0 x \$50.00
			\$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment	0	minus highest number	
previously paid for	3	(at least 3) =	0 x \$200.00
			\$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add  
\$360.00 (1051)/\$180.00 (2051) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this  
 paper and attachment(s)  
 One Month Extension \$120.00 (1251)/\$60.00 (2251)  
 Two Month Extensions \$450.00 (1252)/\$225.00 (2252)  
 Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)  
 Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) \$

Terminal disclaimer enclosed, add  
\$130.00 (1814)/ \$65.00 (2814) \$

Applicant claims "small entity" status.  Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee  
\$180.00 (1806) \$

Assignment Recording Fee  
\$40.00 (8021) \$

Other:  
\$

**TOTAL FEE ENCLOSED \$ 0.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
MJW:tat

NIXON & VANDERHYE P.C.  
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: \_\_\_\_\_

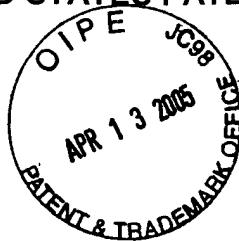
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of  
HAYNES et al

Serial No. 09/960,717

Filed: September 24, 2001

For: IMMUNOGEN



Confirmation No. 4196

Atty. Ref.: 1579-599

Group: 1648

Examiner: Stucker, J.

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

April 13, 2005

Sir:

**INFORMATION DISCLOSURE STATEMENT**

1. **PTO-1449 Pursuant to 37 CFR 1.97(b)**  
[within 3 months of filing or prior to 1st Office Action on the merits] N/C
- 2.(a) **Statement Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance (requires Rule 97(e)  
Statement or Rule 17(p) fee)] N/C
- 2.(b) **Fee Payment Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance (requires Rule 97(e)  
Statement or Rule 17(p) fee)] \$180.00
3. **Pursuant to 37 CFR 1.97(d)**  
[after Final Office Action or Allowance (requires Rule 97(e)  
Statement and Rule 17(p) fee), but before final fee payment]  
\$180.00

The following are submitted in the above-identified application in compliance with 37 C.F.R. §§ 1.97 and 1.98:

4. A list of docs on Form PTO-1449 w/copies (where required) of each doc. and translation or concise explanation of non-English docs.  
(e.g., Search Rpt.) is enclosed (Cruse et al was cited by the Ex. in related Appln. 10/646,729 – a copy is not attached as no copy is in Applicants' file).

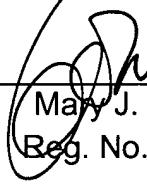
This paper is submitted in accordance with:

- 5. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
- 6. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and
  - a) The required Statement made in item 8 below; or
  - b) The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.
- 7. 37 CFR §1.97(d): [after Final Office Action or Allowance (requires Rule 97(e) Statement and Rule 17(p) fee), but before final fee payment]; and
  - a) The fee (\$180.00) required by 37 CFR §1.17(p) is submitted herewith; and
  - b) The required Statement is stated in item 8 below.
- 8. Statement under 37 CFR 1.97(e)
  - a) The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (each item contained in this IDS was the first citation of that item by a foreign patent office in a counterpart foreign application which occurred no more than three months prior to the filing of this IDS); or
  - b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- 9. Please charge all deficiency fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

HAYNES et al  
Serial No. 09/960,717  
April 13, 2005

Respectfully submitted,  
NIXON & VANDERHYE P.C.

By: \_\_\_\_\_

  
Mary J. Wilson  
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## **INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

**Atty. Docket No.**

1579-599

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**Applicant**

HAYNES et al.

**Filing Date**

**September 24, 2001**

**Serial No.**

09/960,717

**TC/A.U.**

1648

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

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## **TRANSLATION**

**OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)**

	Abaza and Atassi, "Effects of Amino Acid Substitutions Outside an Antigenic Site on Protein Binding to Monoclonal Antibodies of Predetermined Specificity Obtained by Peptide Immunization: Demonstration with Region 94-100 (Antigenic Site 3) of Myoglobin", <i>Journal of Protein Chemistry</i> 11(5):433-444 (1992)
	Fahey et al, "Status of immune-based therapies in HIV infection and AIDS", <i>Clinical and Experimental Immunology</i> 88:1-5 (1992)
	Fox, "No winners against AIDS", <i>Bio/Technology</i> 12:128 (1994)
	Cohen et al, "Pronounced acute immunosuppression <i>in vivo</i> mediated by HIV Tat challenge", <i>Proc. Natl. Acad. Sci. USA</i> 96:10842-10847 (1999)
	Cruse et al, <i>Illustrated Dictionary of Immunology</i> (Boca Raton, FL, CRC Press, Inc.), p. 309 (1995), QR180.4.C78
	Paul, <i>Fundamental Immunology</i> (Philadelphia & New York, Lippincott-Raven Publishers), pp. 250, 1311-1312 and 1387 (1993)
	Riffkin et al, "A single amino-acid change between the antigenically different extracellular serine proteases V2 and B2 from <i>Dichelobacter nodosus</i> ". <i>Gene</i> 167:279-283 (1995)

\*Examiner \_\_\_\_\_ Date Considered \_\_\_\_\_

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.